

A CERTIFIED TRUE COPY
ATTEST

By Jakeia Mells on Nov 02, 2009

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Oct 15, 2009

FILED
CLERK'S OFFICE

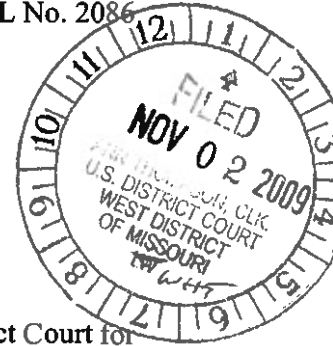
UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: PRE-FILLED PROPANE TANK MARKETING
AND SALES PRACTICES LITIGATION

MDL No. 2086

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)



On October 6, 2009, the Panel transferred four civil actions to the United States District Court for the Western District of Missouri for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* F.Supp.2d. (J.P.M.L. 2009). With the consent of that court, all such actions have been assigned to the Honorable Gary A. Fenner.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Western District of Missouri and assigned to Judge Fenner.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Western District of Missouri for the reasons stated in the order of October 6, 2009, and, with the consent of that court, assigned to the Honorable Gary A. Fenner.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Missouri. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Nov 02, 2009

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel

I HEREBY ATTEST AND CERTIFY ON _____
THAT THE FOREGOING DOCUMENT IS A FULL TRUE AND
CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE
AND IN MY LEGAL CUSTODY.

ANN THOMPSON
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF MISSOURI

BY DEPUTY

**IN RE: PRE-FILLED PROPANE TANK MARKETING
AND SALES PRACTICES LITIGATION**

MDL No. 2086

SCHEDULE CTO-1 - TAG-ALONG ACTIONS

<u>DIST.</u>	<u>DIV.</u>	<u>C.A. #</u>	<u>CASE CAPTION</u>	
CALIFORNIA CENTRAL				
CAC	2	09-4649	Brian Border, et al. v. Blue Rhino Corp., et al.	09cv917
CALIFORNIA NORTHERN				
CAN	3	09-3093	Peter Yunis, et al. v. Ferrellgas, L.P., et al.	09cv918
CALIFORNIA SOUTHERN				
CAS	3	09-1871	Gary Kashefska v. AmeriGas Propane, Inc., et al.	09cv919
FLORIDA MIDDLE				
FLM	8	09-1374	Michael D'Aloia, et al. v. AmeriGas Propane, Inc., et al.	09cv920
ILLINOIS NORTHERN				
ILN	1	09-5682	Dennis Carroll, et al. v. AmeriGas Propane, Inc., et al.	09cv922
KANSAS				
KS	2	09-2410	Laora Fishman v. Ferrellgas, Inc., et al.	09cv923
KS	2	09-2412	J. Allen Downs, et al. v. Ferrellgas Partners, L.P., et al.	09cv924
KS	2	09-2436	Daniel D. Scholtec, et al. v. AmeriGas Propane, Inc., et al.	09cv925
KS	2	09-2442	Brett Steven Powell, et al. v. AmeriGas Propane, Inc., et al.	09cv926
KENTUCKY WESTERN				
KYW	3	09-756	Jason Brownstein, et al. v. AmeriGas Propane, L.P., et al.	09cv927
MINNESOTA				
MN	0	09-2407	Mark Rodgers v. Ferrellgas, L.P., et al.	09cv928
PENNSYLVANIA EASTERN				
PAE	2	09-3118	Bruce McIntyre v. AmeriGas Propane, Inc., et al.	09cv929